

I am appalled that the FCC would consider implementing the "broadcast flag" proposal. While I sympathize with the desires of its proponents to protect their creative works, I don't believe that the proposed rules would accomplish that in the least. In fact, I suspect that the special interests who support this proposal will ultimately be harmed by it.

As long as the the DTV signal is transmitted un-encrypted, it will be impossible to prevent any programming, flagged or not, from making its way onto the Internet in some form or another. All that is needed is one individual with one "non-compliant" device to bring the entire house of cards down. As such, this proposal only provides a false sense of security for the content industry, and a substantial loss of innovation and design economy for the consumer electronics industry.

The fact that the content industry supports this proposal doesn't mean that it is truly in their best interests. Consider that some of these same companies tried to have the videocassette recorder banned shortly after its introduction. The same fear of open and flexible technologies that is evidenced in the "broadcast flag" proposal nearly cost them billions of dollars in future home video sales back then. Today, it threatens to delay the rollout of digital television, a potentially major source of profits for these and other companies, by increasing the cost and decreasing the utility of DTV equipment.

On top of that is the immeasurable damage done to the computer and electronics industries, as well as the interests of the American public which the FCC is chartered to protect. The illegalization of general purpose video modulators and various other digital video processors will inevitably cripple further academic, commercial, and open-source research into digital video. It will never be known how many important companies and research projects were never allowed to exist as a result of the high barriers to entry that are set up by this proposal.

I urge the FCC to find a less oppressive solution to this problem, one that will respect the rights of the technology industry and the consumer, as well as the media companies.

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